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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
IN AND FOR DUCHESNE COUNTY, STATE OF UTAH

IN THE MATTER OF THE GENERAL DETERMINATION OF ALL THE RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF THE UINTA BASIN IN UTAH.	}	MOTION OF STATE ENGINEER
	}	Civil No. 3070

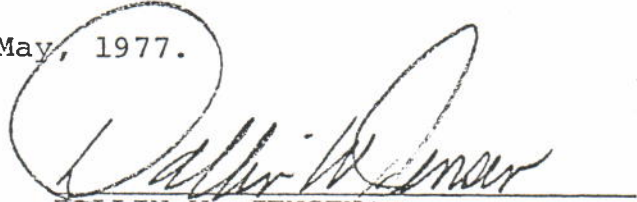
During the 1974, 1975 and 1976 irrigation seasons, water from the Duchesne River System was distributed under an Order of this Court pending the completion of a study by the State Engineer's office concerning canal losses and the gathering of additional data relative to a proposed duty of water for this System. This distribution program was without prejudice to the claims of the parties in any subsequent proceedings in this action, and was considered to be an interim distribution practice while the State Engineer and the parties gathered additional data concerning the duty of water.

In this regard, the State Engineer made a further study of the return flow pattern from certain lands in the Duchesne River System during the 1976 irrigation system, and he believes that it would be useful and worthwhile to gather some additional data concerning water use and return flow patterns during the 1977 irrigation season, while the System is being operated under the existing drought conditions. The data which is assembled and compiled during the 1977 irrigation season would be combined with the information obtained from the State Engineer's prior studies, and all of this data would be assembled into a final report for the users and submitted to the Court.

On March 14, 1977, representatives of the State Engineer's office met with the Duchesne River water users at their annual water users meeting in Duchesne, Utah, and it appeared that a

majority of the users were either present at that meeting or had a representative in attendance. It was the recommendation of a large majority—but not all—of those in attendance that the waters of this System should be distributed on the basis of three acre feet per acre of irrigated land. While this recommendation constitutes less water than many users feel to be adequate, nevertheless because of the drought conditions which exist in this area the users also felt that such a duty would be fair and equitable for the 1977 irrigation season. The State Engineer has no objection to a three acre foot duty schedule and, in fact, believes that it is in the public interest to proceed on this basis because of the extreme drought conditions presently existing in the Duchesne River Drainage area. A copy of a water delivery schedule based upon three acre feet per acre of irrigated land is attached hereto and by this reference is made a part of this Motion.

Dated this 6th day of May, 1977.



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Mailed copies hereof this 6th day of May, 1977, to:

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WATER DELIVERY SCHEDULE^{1/}

DUTY: 3 AC.-FT. PER ACRE

Interval		Duty		Delivery ^{2/}	
Date	Days	cfs/acre	ac-ft/day	ac-ft/int.	accum. ac-ft
4/15 - 4/25	11	1/300	0.0066	0.0726	0.0726
4/26 - 5/5	10	1/200	0.0100	0.1000	0.1726
5/6 - 5/15	10	1/125	0.0160	0.1600	0.3326
5/16 - 5/26	11	1/95	0.0210	0.2310	0.5636
5/27 - 6/5	10	1/70	0.0285	0.2850	0.8486
6/6 - 6/16	11	1/80	0.0250	0.2750	1.1236
5/17 - 6/26	10	1/85	0.0235	0.2352	1.3588
6/27 - 7/7	11	1/90	0.0222	0.2442	1.6030
7/8 - 7/17	10	1/95	0.0210	0.2100	1.8130
7/18 - 7/28	11	1/100	0.0200	0.2200	2.0330
7/29 - 8/7	10	1/110	0.0181	0.1818	2.2148
8/8 - 8/18	11	1/120	0.0166	0.1832	2.3980
8/19 - 8/28	10	1/125	0.0160	0.1600	2.5580
8/29 - 9/8	11	1/150	0.0133	0.1466	2.7046
9/9 - 9/19	11	1/160	0.0125	0.1375	2.8421
9/20 - 9/29	10	1/200	0.0100	0.1000	2.9421
9/30 - 10/15	16	1/300	0.0066	0.1056	3.0477

^{1/} Compiled by Donald C. Norseth based on duty schedule submitted by United States Indian Service with consideration given water supply and plant use.

^{2/} Irrigation season = April 15 to October 15.